REMARKS

The Application has been carefully reviewed in light of the Office Action mailed February 22, 2008. At the time of this Office Action, Claims 1-23 were pending in the Application and Claims 1-23 were rejected. The following actions were taken or matters raised: (I) Claims 1-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over del Val et al (US 6,763,392) in view of Schulzrinne (Real Time Streaming Protocol (RTSP) (Schulzrinne et al. 03 March 2003)(draft-draft-ietf-mmusic-rfc2326bis). In order to advance prosecution of this case by overcoming the rejections asserted by the Office, claim amendments and associated remarks addressing such rejection are presented herein. The Applicants respectfully request reconsideration and favorable action in this case

Rejection under 35 U.S.C. § 103(a) – del Val in view of Schulzrinne

The Office has rejected independent Claims 1-23 under 35 U.S.C. § 103(a) as being unpatentable over del Val in view of Schulzrinne. The Applicants assert that, in view of amended independent Claims 1, 9, and 17, the present invention as recited in amended independent Claims 1, 9, and 17 and all claims dependent thereon are clearly distinguished from del Val and Schulzrinne, individually and in combination, and provides advantageous, useful and non-obvious functionality with respect to del Val and/or Schulzrinne. Accordingly, the Applicants submit that the rejection under 35 U.S.C. § 103(a) applied to Claims 1-23 as being unpatentable over del Val in view of Schulzrinne is overcome and respectfully requests the Office to withdraw the

rejection asserted against Claims 1-23 under 35 U.S.C. § 103(a) as being unpatentable over del Val in view of Schulzrinne.

Independent claims 1, 9, and 17 have been amended to characterize the invention with greater specificity in view of the cited references. Claims 1 and 9 have each been amended to recite, "...generating a Real Time Streaming Protocol (RTSP) SET_PARAMETER message to said network node by a client application executing on a digital multimedia device, said message containing at least one of a playlist identifier, a media clip index and a clip offset as well as an indication of an activation time corresponding to an END OF CLIP value; and transferring digital multimedia content to said digital multimedia device by said network node from a particular content source identified by at least one of said playlist identifier and said media clip index, said transferring commencing at a time determined responsive to said indication of said activation time, wherein said RTSP SET_PARAMETER message is generated in response to the client application generating a SWITCH message while said network node is streaming digital multimedia content to said digital multimedia device from a previously identified content source, wherein said previously identified content source comprises a media clip, wherein said network node continues to stream from said media clip until said media clip's boundary is reached and wherein said transferring commencing in response to said media clip's boundary being reached during said streaming." Claim 17 has been amended to recite, "... logic for generating a Real Time Streaming Protocol (RTSP) SET_PARAMETER message to said network node by a client application executing on said digital multimedia device, said message containing at least one of a playlist identifier, a media clip index and a clip offset as well as an indication of an activation

<center>(134213 USPCT)
Page 9</center>

time corresponding to an END OF CLIP value; and a player engine operable to play back streaming content from a particular content source identified by at least one of said playlist identifier and said media clip index, said streaming content commencing at a time determined responsive to said indication of said activation time, wherein said RTSP SET_PARAMETER message is generated in response to the client application generating a SWITCH message while said network node is streaming digital multimedia content to said digital multimedia device from a previously identified content source, wherein said previously identified content source comprises a media clip, wherein said network node continues to stream from said media clip until said media clip's boundary is reached and wherein said transferring commencing in response to said media clip's boundary being reached during said streaming".

With respect to Claims 1 and 9, neither del Valle nor Schulzrinne disclose, teach or suggest the recited operations and associated limitations of such claims. More specifically, individually or in combination, neither del Valle nor Schulzrinne disclose, teach or suggest: 1.) generating a Real Time Streaming Protocol (RTSP) SET_PARAMETER message to a network node by a client application executing on a digital multimedia device, 2.) the RTSP SET_PARAMETER message containing at least one of a playlist identifier, a media clip index and a clip offset as well as an indication of an activation time corresponding to an END OF CLIP value, 3.) transferring digital multimedia content to the digital multimedia device by the network node from a particular content source identified by at least one of the playlist identifier and the media clip index, 4). such transferring commencing at a time determined responsive to the indication of the activation time, 5.) the RTSP SET_PARAMETER message being generated in response to the client

(134213 USPCT)
Page 10

application generating a SWITCH message while the network node is streaming digital multimedia content to the digital multimedia device from a previously identified content source, 6.) the previously identified content source comprising a media clip, 7.) the network node continuing to stream from the media clip until the media clip's boundary is reached and 8.) such transferring commencing in response to the media clip's boundary being reached during the streaming. With respect to Claim 17, neither del Valle nor Schulzrinne disclose, teach or suggest the recited operations and associated limitations of such claim. More specifically, individually or in combination, neither del Valle nor Schulzrinne disclose, teach or suggest: 1.) generating a Real Time Streaming Protocol (RTSP) SET_PARAMETER message to a network node by a client application executing on a digital multimedia device, 2.) the RTSP SET_PARAMETER message containing at least one of a playlist identifier, a media clip index and a clip offset as well as an indication of an activation time corresponding to an END OF CLIP value, 3.) a player engine operable to play back streaming content from a particular content source identified by at least one of the playlist identifier and the media clip index, 4.) such streaming content commencing at a time determined responsive to the indication of the activation time, 5.) the RTSP SET_PARAMETER message being generated in response to the client application generating a SWITCH message while the network node is streaming digital multimedia content to the digital multimedia device from a previously identified content source, 6.) the previously identified content source comprising a media clip, 7.) the network node continuing to stream from the media clip until the media clip's boundary is reached and 8.) such transferring commencing in response to the media clip's boundary being reached during the streaming.

(134213 USPCT)
Page 11

Furthermore, the Applicants submit that the Office has misconstrued at least a portion of the Schulzrinne with respect to the claimed invention. Schulzrinne discloses "To avoid inconsistencies between the client and server, automatic state transitions are avoided. This can be seen at for example "End of media" event when all media has finished playing, the session still remain in Play state." (paragraph 18.7, Table 9, State: Ready, lines 20-23). As disclosed by Schulzrinne, this functionality maintains the session in the PLAY state once all media has finished playing. Contrary to the assertion by the Office, in the context of the present invention and claims thereto, this disclosure by Schulzrinne does not suggest that the network node continues to stream from the media clip until the media clip's boundary is reached. The extent of the disclosures by Schulzrinne is that a session remains in the PLAY state once all media has finished playing. As such Schulzrinne does not disclose, teach or suggest the RTSP SET_PARAMETER message being generated in response to the client application generating a SWITCH message while the network node is streaming digital multimedia content to the digital multimedia device from a previously identified content source, the previously identified content source comprising a media clip, the network node continuing to stream from the media clip until the media clip's boundary is reached and transferring or playback of different content commencing in response to the media clip's boundary being reached.

In view of the amendments made to Claims 1, 9 and 17 and the associated remarks, Claims 1, 9 and 17 and all claims dependent thereon, are patentable under 35 U.S.C. 103(a) over del Val in view of Schulzrinne because they recite features, physical structure and/or function not present in, configured for being provided by, or intended to be provided by implementations

in accordance with the disclosures of del Val and/or Schulzrinne, and therefore patentably distinguish over del Val and/or Schulzrinne. Accordingly, the Applicants submit that the rejection under 35 U.S.C. § 103(a) applied to Claims 1-23 as being unpatentable over del Val in view of Schulzrinne is overcome and respectfully requests the Office to withdraw the rejection asserted against Claims 1-23 under 35 U.S.C. § 103(a) as being unpatentable over del Val in view of Schulzrinne.
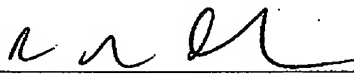
CONCLUSIONS

The Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for reasons clearly apparent, the Applicants respectfully request full allowance of all pending claims. If there are any matters that can be discussed by telephone to further the prosecution of the Application, the Applicants invite the Examiner to contact the undersigned at 512-306-8533 at the Examiner's convenience.

Respectfully submitted,

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(134213 USPCT)
Page 14